

REGION 8 FY 2015 EVIDENCE BASED SNAPSHOTS

PROPOSED ADDITIONAL STORIES – FY 2015 YEAR-END

AIR QUALITY - REGION 8 ENTRIES

ACCOMPLISHMENTS:

- **CO:** EPA favorably resolved remaining litigation over approval of the Colorado Regional Haze State Implementation Plan by persuading litigants to dismiss their lawsuit.
- **CO:** The Colorado Department of Public Health and Environment received \$399,111 to partner with Denver Environmental Health to conduct air toxics measurement in the environmental justice communities adjacent to the I-70/I-25 freeway interchange area in the Globeville, Elyria, and Swansea neighborhoods of Denver.
- **CO:** Completed Colorado Front Range presentations for Realtor associations, housing authority groups and lender organizations regarding ENERGY STAR residential tools and resources, state incentive opportunities and energy efficient mortgages in collaboration with the Colorado Energy Office and Housing and Urban Development leading to increased use of ENERGY STAR program offerings.
- **MT:** Region 8 worked with the Montana Department of Environmental Quality to develop a draft SO₂ attainment and re-designation plan for the Billings area, so that the area could be expeditiously designated attainment (e.g. in compliance with the 1-hour SO₂ NAAQS).
- **UT:** Region 8 coordinated with Utah Department of Environmental Quality on the development of a PM₁₀ maintenance plan and a PM_{2.5} attainment plan for the Salt Lake City area. As part of this process, the Region approved the I/M portion of the Cache County PM_{2.5} attainment SIP and finalized approval of 21 area source rules for the non-attainment areas, which will reduce PM_{2.5} emissions.
- **UT:** The Utah Department of Environmental Quality received \$355,000 for air toxics monitoring to better estimate population exposure in the economically underserved West Valley neighborhood of Salt Lake City.
- **Tribal:** Continued work with the Ute Tribe regarding the potential for a Uintah and Ouray Reservation specific federal implementation plan to reduce emissions from existing oil and gas sources. Working collaboratively with the Utah DEQ, developed an emissions inventory process for sources to report improved emissions data for use in air quality planning. Met with sources and other stakeholders to seek their thoughts on a potential federal plan.
- **Tribal:** EPA coordinated 9 tribal consultation opportunities with 5 tribes regarding New Air Tribal Minor Source Rule, grant status, drinking water systems, Clean Power Plant Rule, and TAS (treatment in the same manner as a state).
- **Tribal:** EPA and the Ute Tribe installed five ozone and NO₂ monitors at tribal schools and at the Tribe's Air Program office to raise awareness of air quality in the Uinta Basin.
- **Tribal:** EPA and the Ute Tribe co-hosted a Health Effects Meeting for 30+ health experts and tribal members.
- **Tribes:** in 2015, EPA finalized 4 synthetic minor New Source Review permits for 3 facilities located on the Southern Ute Indian Reservation and 1 facility located on the Wind River

Indian Reservation. The permits require combined total annual reductions of 42 tons BTEX, 89 tons VOC, 60 tons NO_x, 160 tons CO, 41 tons formaldehyde, and 490 tons SO₂.

- **Region-wide:** ENERGY STAR for buildings and plants tools and resources continue to increase in their use across Region 8, leading to 256 labeled buildings representing 41,125,245 square feet of benchmarked floor space in Region 8 in 2015.

CHALLENGES:

- n/a

WATER QUALITY - REGION 8 ENTRIES

ACCOMPLISHMENTS:

- **Colorado:** EPA completed agency review and action of Colorado's nutrient-related water quality standards.
- **Colorado:** Comments on the supplementary draft environmental impact statement (SDEIS) for the controversial water supply project, Northern Integrated Supply Project, were provided to the Army Corps of Engineers (Corps) in September, 2015 after a year of focused review by several EPA experts of numerous technical documents that were meant to support the SDEIS. The technical review included external documents developed by interested parties such as the City of Ft. Collins, a number of discussions with the Corps and their consultants, and many internal conversations to develop a mutual understanding of the main issues and approaches to analyze, describe and comment on the issues in the final comment letter.
- **Montana:** The last Total Maximum Daily Load (TMDL) report for the nation's largest court-ordered number of TMDLs was completed December 14, 2014. 702 TMDLs were completed by EPA and Montana Department of Environmental Quality. This accomplishment required the development, implementation, and revision of thoughtful strategic approaches as various factors changed during the 14 years of dedication to complete the TMDLs.
- **Montana:** In February 2015, Montana's water quality standards for total phosphorus and total nitrogen for rivers and streams and the associated variance policy were approved by EPA. This accomplishment was the culmination of 10 years of scientific research by Montana Department of Environmental Quality and technical and legal support by EPA.
- **South Dakota:** Region 8 hosted a Harmful Algal Bloom (HABs) Workshop in Rapid City, SD, Sept. 30 – Oct 1. The workshop focused on HABs-related drinking water and recreational use support issues which engaged both Clean Water Act and Safe Drinking Water Act state agencies.
- **Utah:** The State of Utah, EPA and the Corps worked closely for several months to develop conditions for the 401 Water Quality Certification and the CWA Section 404 Permit to ensure that the mitigation for the Union Pacific Rail Road Causeway culvert closures is successful and protective of the Great Salt Lake's aquatic resources in the long-term.
- **Tribal:** Issued 5 NPDES permits for oil and gas on the Wind River Indian Reservation which include a requirement to maintain an inventory of chemicals used for well treatment and well maintenance and to disclose that information if there is a discharge, and the use of tribally adopted water quality standards.

CHALLENGES:

- n/a

DRINKING WATER - REGION 8 ENTRIES

ACCOMPLISHMENTS:

- **North Dakota:** For the Northwest Area Water Supply project, EPA made a successful case to BOR for a water treatment system that will to avoid carcinogenic disinfection byproduct impacts to 100,000 water consumers in Minot and surrounding communities.
- **Wyoming:** EPA provided over 8 hours of compliance-related drinking water operator training to over 600 certified operators and industry professionals in Wyoming, and convened a one 4-hour workshop focused on compliance challenges for seasonal water system operators, reaching 30 such operators in Wyoming. These trainings support Region 8's Direct Implementation drinking water program in Wyoming.
- **Tribal:** EPA Region 8 held an environmental strategy planning session in Bismarck, ND with the Mandan Hidasta and Arikara (MHA) Nation. The goal of the session was to collaborate with the tribe to develop a 1-3 year strategy to address the top natural resource/environmental challenges associated with oil & gas development on the Ft. Berthold Indian Reservation.
- **Tribal:** Conducted an Energy Audit at the Fort Washakie surface water plant on the Wind River reservation, identifying a potential cost savings of over \$6,000 a year which is a 20% reduction of their total annual electricity costs.
- **Tribal:** Consolidated approximately 450 existing water injection wells (95 square miles) within the Uintah and Ouray Indian Reservation in Utah under a single area permit issued to Newfield Production, which brought these wells up to more stringent standards for underground sources of drinking water. Since December 2012, over 250 new wells have been added to this permit through a streamlined administrative process.
- **Tribal:** Conducted an emergency table top exercise in New Town, ND, to assist the Three Affiliated Tribes and other stakeholders identify the major issues related to water sector-related emergency response and recovery; examine their various roles; and consider how to improve communication among water utilities, governments, and other response partners during an emergency.

CHALLENGES:

- **Region-wide:** Continue to face challenges in working with small water and wastewater systems. Look for ways to leverage existing funding opportunities and new strategies to help these systems return to compliance and achieve sustainability.
- **Region-wide:** Finding ways to deal with unregulated drinking water contaminants, including cyanotoxins and chemicals, as they are detected through increased awareness or monitoring under the Unregulated Contaminant Monitoring Rule.

LAND CLEANUP - REGION 8 ENTRIES

ACCOMPLISHMENTS:

- **Colorado:** EPA completed assessment, clean-up and removal of mine tailings at the residential Colorado Cedaredge Lead Site to protect children. EPA removed and treated 454 tons of contaminated soils and lead contaminated dust inside the home.
- **Colorado:** EPA provided a comfort letter to facilitate second phase (approximate 500KW) solar installation at Marshall Landfill Superfund site in Boulder County, Colorado.
- **Montana:** After 9 years of work, EPA has completed its rigorous scientific review of the toxicology of Libby Amphibole Asbestos, which demonstrates that it is now possible to live and work in Libby without excessive exposure to Libby Amphibole Asbestos and risk above EPA targets. Our evaluation of risk shows that our indoor and outdoor cleanups have been effective in reducing both cancer and non-cancer risks in Libby. Ambient air concentrations in Libby today are up to 100,000 times lower than when mine and processing facilities were in operation. This means the air is equivalent to what you would find in other Montana cities.
- **North Dakota:** Region 8 conducted approximately 80% of this year's Facility Response Plan / Spill Prevention, Control and Countermeasure inspections in the Bakken area (i.e., 19 SPCC Inspections, 20 FRP Inspections, and 15 Unannounced Exercises). By having OSC and Oil Program staff travel regularly for a one week period every month over the summer to the Bakken area on a regular basis, the region provided a **significant amount** of regulatory compliance assistance through the inspections and unannounced exercises as well as Preparedness Assessment Verifications with Oil Spill Contractors.
- **North Dakota:** Region 8 led the development and completion of a Bakken Shale Crude Oil Study which was used nationally as information to other federal agency officials, state, and local officials on understanding the characteristic of Bakken crude oil. This study cost over \$25,000.
- **All Region 8:** The Region 8 Incident Management Team supported three major responses this year in the Region: Gold King Mine, Bridger Pipeline Oil Spill, and Blacktail Creek Oil Spill.
- **All Region 8:** Region 8 executed 72 exercises/trainings to prepare states, tribes, locals, and industry to respond to emergencies, which included over 2,000 participants.
- **Utah:** In March 2015, Region 8 conducted a workshop for local emergency planning committee members of approximately 120 attendees.

CHALLENGES:

- **Montana:** EPA responded to the Bridger Poplar Pipeline Oil Spill of approximately 700 barrels of Bakken crude oil into the frozen Yellowstone River in Montana in January 2015 to protect drinking water sources. Due to the icy conditions, the oil contaminated the intake and drinking water system of Glendive, Montana.
- **North Dakota:** EPA responded to a fire at the Red River Oil Supply Warehouse in Williston, North Dakota which stored chemicals used in the Bakken oil and gas field located adjacent to the Little Muddy River, a tributary to the Missouri River including air quality monitoring and cleanup of the river.

HAZARDOUS / SOLID WASTE MANAGEMENT - REGION 8 ENTRIES

ACCOMPLISHMENTS:

- **Colorado:** EPA awarded Conejos County Clean Water, Inc. an EJ Grant valued at \$120,000 that will enable the recipient to work in partnership with stakeholders to address issues of illegal dumping. The outcome from this grant work will result in a model that can be applied to the six county San Luis Valley area.
- **Colorado:** Colorado State University received Regional recognition for Sustainable Food Management activities related to the Food Recovery Challenge and has also been selected to receive a national WasteWise award for 2014 data. Recognition was awarded CSU for diverting 387 tons of wasted food to an in-vessel composter and diverting 103 tons of food waste to an anaerobic digester at a local treatment plant.
- **Wyoming:** Region 8 worked with Wyoming to streamline its RCRA authorization process. Wyoming now incorporates the federal rules by reference. Rules were reduced from 1,300+ pages to 59 pages of updated rules.
- **Tribal:** EPA worked extensively with the Oglala Sioux Tribe and other federal agencies to provide technical assistance to OST related to the August 2014 Compliance Assistance Plan for the Redshirt Landfill. As a result, the facility was returned to compliance with RCRA and solid waste regulations, and the CAP was closed out on February 4, 2015.
- **Region-wide:** In 2015, a total of 45 members were active participants in the Food Recovery Challenge, an increase of 41% compared to 2014
- **Region-wide:** Convened regional pollution prevention grantees in quarterly regional roundtable meetings facilitating the sharing of best management practices and lessons learned across regional pollution prevention programs.
- **Region-wide:** region 8 provided comprehensive ‘Pollution Prevention 101’ training to those interested in applying for pollution prevention grants to increase quantity and quality of pollution prevention grant applications.

CHALLENGES:

- **Utah:** Ensured protection of groundwater resources by denying Republic Services' request to use an existing solid waste cell at their East Carbon Development Corporation landfill in Utah for PCB disposal. ECDC was unable to provide the engineering and construction documentation needed for an EPA Coordinated Approval.
- **Region wide:** There is no existing data, per state, that measures food waste, current per capita donated food, or food recycling (aggregate composting/anaerobic digestion). Data is needed in order to set goals for municipalities/states. Existing EPA data is at a national level only and state data is often missing, or not to the scale necessary.

PESTICIDES - REGION 8 ENTRIES

ACCOMPLISHMENTS:

- **Colorado:** Expanded School Integrated Pest Management programs to cover 532,593 students. The Colorado Coalition for School IPM comprised of Region 8 EPA, Colorado Department of Agriculture, Colorado Department of Education, Colorado Department of Public Health and Environment, Colorado State University and the National Environmental Health Association continues to be a central catalyst to the advancement of the School IPM program in Colorado.

- **UT:** Expanded School Integrated Pest Management (IPM) programs to cover 662,153 students in Utah. Utah requires the use of IPM in all K-12 public, private, and charter schools in Utah, including attached preschools.
- **WY:** In 2015, EPA expanded its School Integrated Pest Management program to Wyoming. EPA provided training to the University of Wyoming, who conducted IPM training workshops at 16 Wyoming school districts.

CHALLENGES:

- **CO:** The regulation of pesticide use in marijuana has been a challenge for Colorado Department of Agriculture (CDA). CDA has requested Region 8's assistance in working with the Office of Pesticides to help identify safe pesticides for use on marijuana and to help reduce risk to the public from unauthorized pesticides use.

TOXIC CHEMICALS - REGION 8 ENTRIES

ACCOMPLISHMENTS:

- **All Region 8:** Under the chemical safety and security executive order (EO 13650), Region 8 developed a working group with other federal agency, state, and local partners (i.e., FEMA, OSHA, DHS, all six Region 8 states, Colorado Emergency Preparedness Partnership). Through the partnership, EPA Region 8 developed five standard operating procedures: 1) State, Local, and Tribal Engagement; 2) Federal Program Triggers; 3) The Emergency Response Application System Access; 4) EO 13650 Information Sharing, Coordinated Inspections, and Referrals; and 5) LEPC Best Practice Implementation and Support. In addition, we worked with all six states to develop separate state plans to improve training and coordination of chemical safety and security (e.g., conducting a training workshop for Utah LEPCs of approximately 120 attendees in March 2015).

CHALLENGES:

- n/a

ENFORCEMENT - REGION 8 ENTRIES

ACCOMPLISHMENTS:

- **Colorado:** EPA, the state of Colorado and the US Department of Justice partnered to resolve Clean Air Act violations by Noble Energy regarding its Oil and Gas operations. This civil judicial settlement addresses all of Noble's 2,400 vapor control systems in the Denver-Julesburg Basin, north of Denver, Colorado and requires the company to pay \$4.95M civil penalty and spend \$4M on supplemental environmental projects.
- **South Dakota:** The EPA, along with other federal and state agencies, filed proof of claims against Tronox for Region 8 sites for reimbursement of CERCLA response costs where Kerr-McGee had operated prior to the spin off. Region 8 recovered \$2.685 million for the North Cave Hills site(s), near Buffalo, South Dakota, and \$44.75 million for the Flat Top Mine site, near Ludlow, South Dakota.
- **Utah:** EPA issued a Final Administrative Penalty Order against Newfield Production to resolve wetlands violations at production sites in Uintah and Duchesne counties, Utah. The order requires Newfield to restore approximately 13 acres of impacted wetlands and streams,

perform mitigation for the remaining impacts by creating more than ten acres of new wetlands, and pay a penalty of \$175,000.

- **Utah:** Under a federal facility work share, Region 8 and Utah identified ten federally operated public water supplies of concern, focusing on compliance assistance followed by enforcement. To date, EPA has issued 11 Notices of Violations and 10 Administrative Orders.
- **Utah:** Region 8 provided enforcement 101 and enforcement targeting tool training to the State of Utah's drinking water rule managers in summer 2015.
- **Utah:** In 2015, Region 8 issued a Stop Sale, Use or Removal Order (SSURO) to sBioMed, LLC of Orem, Utah, for the sale and distribution of an unregistered pesticide. Pursuant to the SSURO, sBioMed must immediately cease sale, distribution or removal of the product, submit an inventory of all products subject to the SSURO, identify all persons to whom they distributed the product, and, in addition remove all false and misleading claims on their website.
- **Wyoming:** EPA issued a Final Administrative Penalty Order against Frontier Refining for CAA 112(r) and EPCRA violations at its Cheyenne, Wyoming refinery for processing flammable chemical mixtures and hydrogen fluoride over reporting threshold levels. Frontier Refining agreed to resolve risk management planning and chemical reporting violations, and pay a \$150,000 penalty.
- **Wyoming:** EPA and the U.S. Department of Justice partnered to resolve CWA violations by Cottonwood Creek, Inc. for an oil spill at Bonanza Station in Big Horn County, Wyoming of approximately 162 barrels of crude oil into a tributary of the Nowood River, and inadequate spill prevention and planning. Cottonwood cleaned up the oil release, submitted an acceptable Facility Response Plan and agreed to pay a \$170,000 penalty.
- **Tribal:** EPA issued a Final Administrative Penalty Order against British Petroleum for unpermitted discharges of produced water from a pipeline on the Southern Ute Indian Reservation. BP agreed to pay a \$40,000 penalty and undertake a SEP worth \$50,000, which requires development of a restoration plan for a portion of the watershed where the alleged violation occurred. The SEP was developed with the assistance of the Southern Ute Indian Tribe and OECA.
- **Tribal:** The Drinking Water Enforcement Unit issued five Final Compliance Assistance Plans or CAPs (four in MT and one in UT) to Tribal Governments and Utilities to assist the Systems in returning to compliance with the drinking water regulations and ensure public health is protected.